



**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
P & E PROPERTIES, INC.,

Plaintiff,

Case No. 08 CV 00553  
(Judge Cedarbaum)

-against-

AFFIDAVIT OF SERVICE

UNITED NATURAL FOODS, INC. and  
MILLBROOK DISTRIBUTION  
SERVICES INC.,

Defendants.  
-----X

STATE OF DELAWARE )  
S.S.: )  
COUNTY OF NEW CASTLE )


DANIEL NEWCOMB, being duly sworn, deposes and says that he is over the age of  
eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 30<sup>th</sup> day of January, 2008, at approximately the time of 1:55 PM, deponent  
served a true copy of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET;  
RULE 7.1 STATEMENT OF PLAINTIFF P & E PROPERTIES, INC.; ECF GUIDELINES;  
INDIVIDUAL PRACTICES OF JUDGE MIRIAM GOLDMAN CEDARBAUM; AND INDIVIDUAL  
PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN upon UNITED NATURAL FOODS,  
INC. c/o Corporation Trust Center at 1209 Orange Street, Wilmington, DE, by personally delivering and  
leaving the same with SCOTT LaSCALA who informed deponent that he holds the position of Managing  
Agent with that company and is authorized by appointment to receive service at that address.

SCOTT LaSCALA is a white male, in his 40's, stands approximately 5 feet 10 inches tall,  
weighs approximately 170 pounds with brown hair.

  
\_\_\_\_\_  
DANIEL NEWCOMB

Sworn to before me this  
4<sup>th</sup> day of February, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC

KIMBERLY J. RYAN  
NOTARY PUBLIC-DELAWARE  
My Commission Expires June 15, 2008